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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/047,629
Filing Date: January 15, 2002
Appellant(s): MEYER, CONRAD K.

Charles W. Griggers

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/21/2006 appealing from the Office action mailed 6/21/2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6009459	Belfiore et al.	12-1999
20020059192	Ling	5-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Examiner note: Typographical errors are found in the most recent two office actions (filed 2/14/06 and 10/24/06), wherein the rejection of claims 24-28 have been miss-placed in the list of claims rejected under 102(b). That is, the numbers "24-28" at page 4, paragraph #9 of the final office action filed 10/24/06 should have been placed at page 4, paragraph 10 and page 5, paragraph #12 (by replacing "23 and 29" with "23-29"). This is due to the fact that claim 24-28 contains a limitation requiring the RL search string to comprise a wildcard, wherein the feature of wildcard was addressed in the rejection of claims 4-6, 23 and 29 in all of the previous office actions based on the Ling reference (see, for instance, page 4, paragraphs 10-11 of the final office action filed 10/24/06). The following ground(s) of rejection is made to reflect correction of the aforementioned errors.

Claims 1-3 and 7-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Belfiore et al. [U.S. pat. No. 6009459].

As to claims 1-3, Belfiore teaches the invention as claimed including: a method of accessing a resource associated with a resource locator (RL) comprising the steps of:

receiving input of a RL, said RL corresponds to a resource [e.g., entering a URL into a browser's address box such as the box shown in 24 Fig.2 or 84 Fig.5];

soliciting input of search terms if said RL is invalid [i.e., when the browser displays an error message indicating that the entered URL is invalid (72, Fig.4), a user may choose to enter search terms into the same address box in a subsequent attempt to invoke auto-search (see 66, Fig.4 and col.5 lines 60-64) in accordance with the conditions described at step 62, Fig.4 and steps 78-84, Fig.6 (see also col.5 lines 7 – 37); note that the lines connecting steps 64 to 66 and 64 to 68 in Fig.4 are mislabeled; i.e., the “Yes” and “No” should be swapped according to the descriptions at col.5 lines 54-64].

receiving input of said search terms [60, Fig.4; col.6, lines 8-14];

searching a predetermined index of addresses of valid RLs in accordance with said search terms [93-94, Fig.7; col.6, lines 30-48; note that typical search engines, such as Google and Yahoo, search predetermined index of databases for URL related information];

presenting a list of all valid RLs in said predetermined index with addresses that correspond to said search terms [e.g., Figs. 13A-13B];

receiving selection of a RL from said list [e.g., 112, Fig.9; 128, Fig. 13A]; and retrieving and displaying content from said selected RL [96-100, Fig.8A; 110, Fig.8B; col.8, lines 6-27],

wherein said RL comprises a uniform resource locator (URL) and said resource comprises a resource accessible via the Internet [e.g., Abstract].

As to claim 7, Belfiore further teaches that the step of retrieving and displaying content from said resource where said RL is valid [note that this is an inherent function of a browser, which is designed to retrieve and display content from a valid URL].

As to claim 8, since the features of this claim can also be found in claims 1-3 and 7, it is rejected for the same reasons set forth in the rejection of claims 1-3 and 7 above.

As to claims 10-11, Belfiore teaches that the method further comprises the steps of displaying a list of valid RLs that meet criteria of said RL search string [e.g., 104-106, Fig. 8B] and receiving a list of valid RLs that meet criteria of said RL search string [e.g., 108-110, Fig. 8B].

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As to claims 9 and 12-22, since the features of these claims can also be found in claims 1-3, 7-8 and 10-11, they are rejected for the same reasons set forth in the rejection of claims 1-3, 7-8 and 10-11 above.

Claim Rejections - 35 USC § 103

Claims 4-6, 23-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belfiore et al.(hereafter "Belfiore") [U.S. pat. No. 6009459], as applied to claims 1-3, 7-22 and 24-28 above, further in view of Ling [U.S. PGPub 20020059192].

As to claims 4-6, Belfiore does not specifically teach that said search terms comprises a wildcard representing a predetermined plurality of characters.

However, in the same field of endeavor, Ling teaches that a search term entered into the address area may include a wildcard, wherein said search term is representative of a range of values [paragraphs 22 and 52].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow Belfiore's user to use wildcard in the search terms because: (1) such approach is well known in the art and (2) it enables Belfiore's search engine to find better results matching to the user's need [Belfiore: col.8, lines 38-42].

As to claims 23-29, since the features of these claims can also be found in claims 1, 4-6 and 18, they are rejected for the same reasons set forth in the rejection of claims 1, 4-6 and 18 above.

(10) Response to Argument

With respect to the independent claims: Applicant argues that (1) *Belfiore* fails to disclose the step of "soliciting input of search terms if said RL is invalid," since *Belfiore* teaches that search terms are automatically processed from the terms initially inputted by a user. After terms are determined to be invalid, the user is not solicited for additional input; (2) *Belfiore* fails to teach or suggest "searching a predetermined index of addresses of valid RLs in accordance with said search terms because after determining that a RL is invalid the system displays an error message (see steps 70-72, Fig.4) and the process ends; (3) *Belfiore* fails to teach "presenting a list of all valid RLs in said predetermined index with addresses that correspond to said search terms," since *Belfiore* teaches that a list of web sites are presented with content that corresponds to the search terms and does not show that a list of addresses that correspond to said search terms are presented; (4) *Belfiore* fails to teach or suggest "searching a predetermined index or list of valid RLs in accordance with said RL search string to determine valid RLs that meet the criteria of said RL search string, wherein said RL search term describes a name of a location for a desired resource and said valid RLs have names that correspond to said RL search string"; and (5) the *Ling* reference *Ling* apparently teaches that search terms are inputted without solicitation, thus the combination of *Belfiore* and *Ling* does not teach all the claimed features in claims 4-6 and 23-29.

Note that points (1)-(3) relate to claims 1 and 8, point (4) relates to claims 13, 18, and point (5) relates to claims 4-6 and 23-29.

The argument is not persuasive because Belfiore teaches all the limitations contained in Applicant's independent claims.

As for the argument in point (1) above: Applicant is reminded that Belfiore's browser functions as (i) a conventional browser wherein a user may enter a typical URL into the browser's address box (with symbols and notations meeting the requirement described in col.5 lines 20-37) and if the URL does not exist (or is invalid) then an error message is given; and (ii) if a user enters search terms in such a manner that the browser realizes that an auto-search mode is attempted (see col.6 lines 8-14 and the steps described in Fig.6), the system then invokes a search for all valid URLs having contents or the URLs' names itself matched to the search term. The whole idea of Belfiore's system/method is about using the same browser, with information entered into the same address box, for serving the aforementioned functionalities (i) or (ii) alone, or in any combination of both. For example, a user may choose to use the browser in its conventional functionality (i), and after determining that the entered URL is invalid (72, Fig.4), the user may choose to utilizes the browser's auto-search functionality (ii) by entering search terms into the same address box in a subsequent attempt. Thus, even though Belfiore's browser does not explicitly display a message "soliciting" a user to pursue the auto-search mode (ii) following a failed attempt in (i), the message is implicitly given based on Belfiore's teachings, otherwise a user who enters a "correct" but invalid URL would not attempt to

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explicitly type in search terms (as described at col.6 lines 8-14) and make use of Belfiore's auto-search mode (ii).

It is further noted that Applicant seems to "freeze" Belfiore's system usage in one of the many embodiments by citing col. 4 lines 30-40 and emphasizing that Belfiore's system does not require a user's added effort to help increase the resilience of the system to user input errors. This may be true only when the user enters an improper URL that does not contain any of: (a) a scheme such as http://; (b) a slash "/"; and (c) a period "." (see col.5 lines 20-37; note that there are mislabels in Fig.6 wherein all the downward links between steps 78-82, 82-84 and 84-86 should all be labeled "No"; likewise steps 64-68 in Fig.4 should be labeled "No"). Even with this auto-search mode, the system may still not find a valid URL (see the path following steps 64-66-68-70-72 of Fig.4). Applicant seems to ignore the fact that in Belfiore a user may take initiative to start a search engine at any point of time by explicitly entering search terms together with directive terms such as "go" or "find" (see col.6 lines 8-14). Furthermore, both Belfiore's Applicant's systems rely on a user to enter specific search terms to invoke another round of URL searching process. Thus, the "return" step in Fig.4 (following step 72) does not mean that the system program is stopped and becomes non-responsive, rather it is meant to return to a state where subsequent entries into the URL address box would be accepted.

As for the arguments made in points (2) and (4): it is noted that a conventional Internet search engine such as Google or Yahoo each has a predetermined process of indexing all the collected web contents (including all the collected valid URLs) by using keywords extracted from these contents. Since Belfiore teaches making use of existing

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search engines to perform the text-term search [e.g., col.3 line 59- col.4 line 7; col.6 lines 15-66], it is submitted that this step of searching a predetermined index (or list) of valid RLs is inherent to Belfiore's system because the indexing method is inherited from the engines that Belfiore's system use. As an evidence, one could enter a search term, such as "Microsoft" or "Bestbuy" into, for example, a Yahoo engine's address box and see that the terms are both highlighted in the displayed URLs and their associated web pages, wherein highlighting of the search terms on a URL name is a clear indication that the name of the URL itself has been part of the matching targets. Note that it only takes an appropriate template to make use of an external search engine; therefore the search engines available to Belfiore are not limited to those illustrated in the examples of Figs. 10A-11B.

As for the arguments made in point (3): Belfiore clearly teaches the features in passages associated with Figs. 10A-10B. For example, Fig.10B shows a list of URLs selectable by the user.

As for the arguments made in point (5): Applicant is reminded that the Ling reference is merely relied upon for the feature of using a wildcard (to represent a set of predetermined characters or range of values) in a RL search string. Additionally, using wildcard symbol * in a search string has been notoriously known in popular areas such as database query. The Ling reference is cited as an evidentiary support and to show that both Ling and Belfiore are in the same field of endeavor. It is submitted that an

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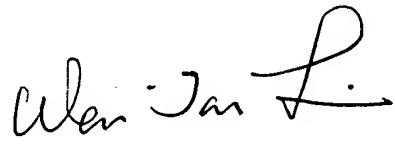
ordinary skill in the art would have been motivated to improve the efficiency of Belfiore's system by allowing the use of a wildcard in a search term.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



5/14/07

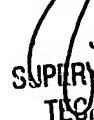
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